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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CELESTE PACELLI,

Plaintiff,

v.

UNUM GROUP SUPPLEMENTAL  
PENSION PLAN, HUMAN CAPITAL  
COMMITTEE OF THE UNUM GROUP  
BOARD OF DIRECTORS,

Defendants.

Case No. C10-03644 (CRB)

**NOTICE OF VOLUNTARY  
DISMISSAL WITHOUT PREJUDICE;  
~~PROPOSED~~ ORDER THEREON**

NOTICE IS HEREBY GIVEN that pursuant to Fed. R. Civ. Pro. 41(a)(1), Plaintiff Celeste Pacelli voluntarily dismisses the above-captioned action without prejudice in order to file an administrative appeal with Defendants Unum Group Supplemental Pension Plan and the Human Capital Committee of the Unum Group Board of Directors, and to have Defendants issue a decision on her appeal.

Respectfully Submitted,

DATED: October 19, 2010

LEWIS, FEINBERG, LEE, RENAKER &  
JACKSON, P.C.

By: /s/  
Daniel Feinberg

Attorneys for Plaintiff  
CELESTE PACELLI

**IT IS SO ORDERED.**

Date: October 21, 2010

By: \_\_\_\_\_

